

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

Proceeding by the Department of Telecommunications and
Energy on its own Motion to Develop Requirements for Mass
Migrations of Telecommunications Service End-Users

D.T.E. 02-28

**PETITION OF XO MASSACHUSETTS, INC.
FOR LEAVE TO INTERVENE AS A PARTY**

Pursuant to 220 C.M.R. 1.03, XO Massachusetts, Inc. (“XO”) hereby petitions the Department of Telecommunications and Energy (“DTE”) for leave to intervene as a party in the above proceedings, stating in support thereof the following:

1. On April 7, 1999, the Department granted XO Massachusetts, Inc. (formerly known as NEXTLINK Massachusetts, Inc.) a certificate of public convenience and necessity to provide local exchange and intrastate toll service within the Commonwealth of Massachusetts. In Massachusetts, XO operates as a CLEC and interexchange carrier, providing telecommunications services. XO’s business address is 1601C Trapelo Road, Waltham, MA 02451. XO is authorized to provide service throughout the Commonwealth, and currently provides service in areas including metropolitan Boston.
2. DTE has opened this docket on its own motion to, among other things, develop guidelines to be used by the telecommunications industry when a carrier leaves the Massachusetts market.
3. XO requests that it be permitted to intervene as a party in order to adequately represent and protect its interests in this proceeding. XO is substantially and specifically affected by this proceeding. As a telecommunications carrier in the Commonwealth, XO routinely solicits customers from carriers exiting the Massachusetts market. Since XO will be bound by the guidelines developed in this proceeding, it has a substantial interest in the results.

4. XO's interest in this matter cannot be adequately addressed or represented by any other party. Consequently, XO's participation in this proceeding will help ensure the development of a comprehensive record, while affording XO the opportunity to protect its interests.

5. If granted intervenor status, XO will fully participate in the proceeding as it already has in the industry collaborative that developed the proposed guidelines that have been put out for public comment. XO should be granted intervenor status to ensure that these concerns are addressed since they are peculiar to XO and thereby its customers.

6. All communications and correspondence for this proceeding should be direct to the undersigned.

WHEREFORE, XO Massachusetts, Inc. requests that the Department of Telecommunications and Energy permit it to intervene in these proceedings.

Respectfully submitted,
XO Massachusetts, Inc.

Date: June 25, 2002

By: _____
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